

**CHAPTER NO. 729**

**SENATE BILL NO. 3097**

**By Miller, Atchley, Cooper, Person, Fowler, Williams, McNally, Dixon, Davis, Elsea, Burks, Haun, Crowe, Kurita**

Substituted for: House Bill No. 2883

By Kent, McDaniel, Curtiss, Ford, Hargrove, Godsey, Ralph Cole, Hargett, Mumpower,  
Bird,  
Mike Walker, Pleasant, Haley, Raymond Walker, Roach, McKee, Wood, Sharp, Dunn,  
Sargent

AN ACT To amend Tennessee Code Annotated, Section 40-33-211(c) and subdivision (f), relative to distribution of revenues.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 40-33-211(c), is amended by deleting the subsection in its entirety and substituting instead the following:

(c) Notwithstanding the provisions of subsections (a) and (b) to the contrary, the revenue derived from the sale of vehicles forfeited under the authority of §55-50-504(h) shall be distributed as follows:

(1) The revenue shall be retained by the entity, either the state or local government, which was responsible for the seizure. Such revenue shall be used during each fiscal year to compensate the entity for reasonable and direct expenses involved in the confiscation, towing, storage, and sale of the forfeited vehicles. All expenses claimed by the entity shall be subject to audit and review by the Comptroller of the Treasury for the purpose of determining that expenses claimed by the entity are direct and reasonable; and

(2) Any remaining revenue shall be transmitted to the Department of Health no later than June 30 of each fiscal year. This revenue shall be placed in a special fund to be known as the "Alcohol and Drug Addiction Treatment Fund" and shall be available for use after July 1, 1998, to pay the cost of alcohol and drug addiction treatment for persons certified for such treatment by order of either general sessions or criminal court judges, pursuant to a plan and procedures developed by the Department of Health and submitted to the General Assembly prior to July 1, 1998. Any monies in the Alcohol and Drug Addiction Treatment Fund administered by the State Treasurer shall be transferred to the "Alcohol and Drug Addiction Treatment Fund" administered by the Department of Health on the effective date of this act.

SECTION 2. Tennessee Code Annotated, Section 40-33-211(f), is amended by deleting the subdivision in its entirety and substituting instead the following:


(f) Notwithstanding the provisions of subsections (a) and (b) to the contrary, the revenue derived from the sale of vehicles forfeited under the authority of §55-10-403(k) shall be distributed as follows:

(1) The revenue shall be retained by the entity, either the state or local government, which was responsible for the seizure. Such revenue shall be used during each fiscal year to compensate the entity for reasonable and direct expenses involved in the confiscation, towing, storage, and sale of the forfeited vehicles. All expenses claimed by the entity shall be subject to audit and review by the Comptroller of the Treasury for the purpose of determining that expenses claimed by the entity are direct and reasonable; and

(2) Any remaining revenue shall be transmitted to the Department of Health no later than June 30 of each fiscal year. This revenue shall be placed in a special fund to be known as the "Alcohol and Drug Addiction Treatment Fund" and shall be available for use after July 1, 1998, to pay the cost of alcohol and drug addiction treatment for persons certified for such treatment by order of either general sessions or criminal court judges, pursuant to a plan and procedures developed by the Department of Health and submitted to the General Assembly prior to July 1, 1998. Any monies in the Alcohol and Drug Addiction Treatment Fund administered by the State Treasurer shall be transferred to the "Alcohol and Drug Addiction Treatment Fund" administered by the Department of Health on the effective date of this act.


SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

**PASSED: March 26, 1998**

**APPROVED this 8th day of April 1998**

  
DON SUNDQUIST, GOVERNOR